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October 23, 2020

BY ECF

The Honorable Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007

Christopher J. Houpt
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MEMO ENDORSED

Re: *Pacific Life Insurance Company, et al., v. The Bank of New York Mellon*, No. 17-cv-1388 (S.D.N.Y.)

Dear Judge Failla:

Pursuant to Rule 9 of Your Honor's Individual Practices, Defendant The Bank of New York Mellon ("BNYM") requests permission to redact portions of the document attached as Exhibit 2 to the Omnibus Declaration of Christopher J. Houpt in support of BNYM's Replies in Further Support of Its Motions to Exclude Opinions of Christopher J. Milner and Bruce D. Spencer, as well as references to Exhibit 2 in BNYM's Reply In Further Support Of Its Motion To Exclude Opinions Of Bruce D. Spencer (the "Spencer Reply"). Exhibit 2 and the redacted portions in the Spencer Reply have been designated as "Confidential" by Plaintiffs under the Protective Order (Dkt. 72), and Plaintiffs have requested that we file these documents under seal. As required by Rule 9(B), we will file under seal an unredacted copy of Exhibit 2 and the Spencer Reply. We will also email Chambers clean copies of the Exhibit 2 and the Spencer Reply, as well as copies highlighting the information that has been redacted in response to Plaintiffs' request.

Exhibit 2 does not contain information concerning BNYM. BNYM does not concede that the materials designated as confidential by Plaintiffs are confidential, or that the redactions are appropriate.

Sincerely,

/s/ Christopher J. Houpt
Christopher J. Houpt

Application GRANTED. Defendant may redact portions of Exhibit 2 to the Omnibus Declaration of Christopher J. Houpt, as well as references to that exhibit in their briefing, and may file under seal an unredacted copy of the exhibit. The sealed copy shall be viewable to the Court and parties only.

Dated: October 26, 2020
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla". The signature is written in a cursive, flowing style.

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE